

Notice of Allowability

Application No.

09/623,865

Examiner

Jermie Cozart

Applicant(s)

PLANK, OTTO

Art Unit

3726

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed 5/27/04.
2. ☒ The allowed claim(s) is/are 7, 11, 14-16, 22-33, and 35.
3. ☒ The drawings filed on 08 November 2000 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Richard Hoffman on June 28, 2004.

The application has been amended as follows:

In the title,

"An Eyelet" has been changed to - -a Rim Hole- -.

In the claims,

Claim 7, *Line 4, - -first- - has been inserted before "punch";*
 Line 5 has been deleted in its entirety;
 Line 6, - -first- - has been inserted before "punch";
 Line 10, - -a rim hole having- - has been inserted after "forming".

These amendments were made to correct minor deficiencies regarding clarity.

Claim 11, *Line 1, - -first- - has been inserted before "punch".*

This amendment was made to identify the appropriate punch.

Claim 14, *Line 1, - -the- - has been inserted before "round".*

This amendment was made to correct a minor deficiency.

Claim 15, *Line 1, 'the' has been changed to - -a- -,*
 Line 2, - -of the first punch- - has been inserted after "surface";
 Line 3, "the" in its second occurrence has been changed to - -an- -,

and "body" has been changed to - -inner- -.

These amendments were made to correct minor deficiencies regarding clarity.

Claim 16, Line 2, "the" in its second occurrence has been changed to - -an- -;

Line 3, "an" has been changed to - -the- -.

These amendments were made to correct minor deficiencies regarding clarity.

Claim 24, Line 1, - -first- - has been inserted before "punch".

This amendment was made to identify the appropriate punch.

Claim 29, Line 1, - -first- - has been inserted before "punch".

This amendment was made to identify the appropriate punch.

Claim 34 has been canceled.

This amendment was made to eliminate deficiencies regarding scope of the claim.

Claim 35. (New) A method for producing a rim hole through first and second planar workpieces wherein the first and second planar workpieces are metal, comprising:
forming a round penetration opening through the first and second planar workpieces by first using a circular drill and then by translating a first punch in a first direction to a first position;
translating the first punch, in the first direction, from the first position to a second position relative to a fixed matrix;
forming, against a working edge of the fixed matrix, a break away portion in the second planar workpiece;
forming a rim hole having a rim using the first planar workpiece such that the rim is formed adjacent to an inner surface of the matrix; and

forming the rim into a single layer flange engageable with a bottom surface of the second planar workpiece, wherein the flange is formed using a flange punch and the flange punch engages the flange from a second direction that is linearly opposite to the first direction.

This claim was added to incorporate the subject matter of canceled claim 34 into independent form including all of the limitations of allowed claim 7.

2. The following is an examiner's statement of reasons for allowance: Applicant's amendment to the claims and the arguments on page 6 of the response filed 5/27/04 defined over the art of record and were found persuasive.

3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jermie Cozart whose telephone number is 703-305-0126. The examiner can normally be reached on Monday-Thursday, 7:30 am - 6:00 pm.

5. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Vo can be reached on 703-308-1789. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

6. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for

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published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



DAVID P. BRYANT
PRIMARY EXAMINER



JC
June 28, 2004